

3:12 CV 325

October 22, 2019

Attn: Clerk
United States District Court
District of Nevada in Las Vegas
333 Las Vegas Blvd
South Las Vegas, NV 89101

Mr. Ben Barnow
Barnow and Associates, P.C.
205 West Randolph Street, Suite 1630
Chicago, IL 60606

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COUNSEL/PARTIES OF RECORD	
OCT 25 2019	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

Mr. Stephen J. Newman
Stroock & Stroock & Lavan LLP
2029 Century Park East, 18th Floor
Los Angeles, CA 90067

Dear Sirs/Madams,

I am a settlement class member objecting to the Zappos' settlement for breach of information. I do not intend to appear at the final approval hearing. Nor is this a REQUEST TO BE EXCLUDED from the settlement.

I object to the Zappos settlement because it forces victims to buy more product from the violating company, with the end result being a spike in the company's sales. We witnessed this with the settlement a few years ago for Restoration Hardware, which proved to be a sales boom to the company and in the end, rewarded it for its violations against customers. The 2019 settlement against Audible is doing the same, and now the Zappos' settlement follows suit. The 10% discount on future purchases with Zappos barely covers state taxes in many state and is a sham of a settlement.

Please, make customers whole by awarding a cash payment rather than forcing us to give Zappos more business. It's the right thing to do.

Sincerely,



Diana Bermudez
dianabermudez@comcast.net
1442A Walnut St, #470, Berkeley, CA 94709

enclosure: copy of email notice about settlement

dianabermudez@comcast.net

10/20/2019 8:28 PM

Fwd: Settlement notification re: 2012 security incident

To Diana Bermudez <dianabermudez@comcast.net>

Objection letter attached.

DB

----- Original Message -----

From: Zappos Data Settlement Administrator <info@e.zapposdatasettlement.com>

To: dianabermudez@comcast.net

Date: October 19, 2019 at 12:16 PM

Subject: Settlement notification re: 2012 security incident

Please take a moment to read this email.

Hi Diana Bermudez,

You are receiving this email because you were a Zappos customer in January 2012. As such, we are writing to inform you that a resolution has been reached in the class action lawsuit filed because of the data breach that occurred during that time.

Important additional information is below, but the short version is that you are getting a 10%-off discount code to use on an order placed before the end of year. You may also transfer the code to someone else.

Here is your one-time-use code: LETK-HAGK2M-XW3HA6. Once you've selected the items you want to purchase on Zappos.com or the Zappos App, select "Proceed to Checkout" and you'll have a chance to enter your code.

- For Desktop Users: Under "2. Payment Method," you'll see a dropdown for "Add gift card or rewards code." Simply enter the code there, click "Apply," and continue checking out.
- For App Users: Select "Gift Codes" in the top right corner, enter your code, select save, and continue checking out.

Thank you for your patience and understanding and, as always, we're here to help. If you need help with placing an order, please don't hesitate to reach out by contacting us at <mailto:2012action@zappos.com>. If you need assistance regarding your legal rights related to this Notice, please see below and contact Zappos Settlement Administrator, P.O. Box 43434, Providence, RI 02940-3434, 1-855-263-1060.

Your Friends at Zappos

In re: Zappos.com, Inc. Customer Data Security Breach Litigation
United States District Court, District of Nevada,
Case No. 3:12-cv-00325-RCJ-VPC,
MDL No. 2357

COURT ORDERED NOTICE OF CLASS ACTION SETTLEMENT

You are a member of the Settlement Class in the above-captioned lawsuit, which relates to a data security hack against Zappos.com in January 2012. The case has settled, and you may use the unique code provided above for 10% off a single future online purchase of goods on Zappos.com (or via the Zappos.com mobile app), exclusive of shipping costs and taxes. You may also transfer or sell this code to someone else for personal, non-commercial use.

The Court has preliminarily approved this settlement. It will hold a Final Approval Hearing in this case on December 20, 2019 at 10:00 a.m. in Courtroom 3 of United States District Court for the District of Nevada, located at 400 S. Virginia Street, Reno, Nevada 89501. At the Final Approval Hearing, the Court will decide whether to approve the settlement

and whether to grant Class Counsel's requests for \$1,597,500 in attorneys' fees, costs, and expenses, and for service awards of \$2,500 to each of the nine Representative Plaintiffs (i.e., a total of \$22,500 in requested service awards). You have the right to attend the Final Approval Hearing and to be represented by counsel of your choice (at your own expense). For more information, including information about how to object to the settlement or to the request for attorneys' fees, costs, expenses or to the request for service awards, please visit this website <http://e.zapposdatasettlement.com/rd/9z1zv66ks5dpfprlv3jv7sfluvtcekn6b09jnjmhtg8>.

If you do not use or transfer your discount code, you have the right to request exclusion from the settlement ("opt out") or to object to the settlement, but the deadline for this is November 29, 2019. Please click here (<http://e.zapposdatasettlement.com/rd/9z1zvsc9oipnrf8095j3m5rtk3e9tk845an3d345oo8>) for additional details.

If you do not request exclusion from the settlement before the deadline and if the Court approves the settlement, you will release (give up) all claims against Zappos and related parties (including Amazon.com) that pertain in any way to the January 2012 data security hack.

If the court does not approve the settlement, the discount code may expire at the time of the Final Approval Hearing; otherwise the discount code is good until December 31, 2019.

Please review the complete, court-approved notice here (<http://e.zapposdatasettlement.com/rd/9z1zn2doa1fva19bqlt6frkkbckhkc5hg8847bite4h0>) for additional information, rules for use of the discount code and information about how to obtain a substitute code if you are unable to use it due to hospitalization or military service.

If you believe you have received this message in error, please use this link to unsubscribe: <http://e.zapposdatasettlement.com/prefs/9z1zr9d62j79he36c64okt8ccgp9aerovjlgp8fmjbg>

- Zappos Settlement.docx (122 KB)

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South Las Vegas, NV 89101

89101-706934

